

Fiscal Services Division

Legislative Services Agency

Fiscal Note

SF 138 - Jury Procedures and Fees (LSB 1383 SV)

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Fiscal Note Version - New

Description

Senate File 138 increases juror pay from \$10 per day to \$30 per day for each day of service or attendance. Unless otherwise specified in a collective bargaining agreement, an employee of a public employer as defined in Section 20.3, Code of Iowa, will be provided with a paid leave of absence in lieu of compensation for jury service. The Bill also provides that all jurors are entitled to mileage reimbursement for each mile traveled each day in excess of 30 miles to and from the residence to the place of service or attendance.

Background

- There has been a 44.0% decline in jury trials from the peak in 1994 (1,495) to 2006 (839). There were 908 jury trials in calendar year 2005.
- The Judicial Branch's mileage reimbursement rate is \$0.35 per mile. Current law provides that a juror is entitled to reimbursement, regardless of distance, for each mile traveled to and from the residence of the juror to the place of service or attendance.
- The Jury Witness Fee Revolving Fund was established in 1987. Money deposited into the Fund is debt owed the Court, which is more than two years old (1993 Acts, Section 909.10(2), Code of Iowa.)
- In FY 2006, the actual receipts into the Jury Witness Fee Revolving Fund were \$3.3 million and the actual expenditures were \$1.7 million. The balance carry forward into FY 2007 was \$6.4 million.
- Some public employees are currently provided with paid time off and when reimbursed by the Judicial Branch for time served on a jury, the checks are signed over to the employer.

Assumptions

- Each \$10 increase in juror pay equates to approximately \$1.0 million in increased expenses.

Fiscal Impact

Senate File 138 would have the following cost savings to the Jury Witness Fee Revolving Fund; however, the savings cannot be determined at this time:

- Allowing mileage reimbursement to start in excess of 30 miles.
- No longer paying public employees for jury service.
- Allowing jurors to waive the right to receive compensation.

The fiscal impact of SF 138 is an increase in expenditures from the Jury Witness Fee Revolving Fund of \$2.0 million and \$5,000 from the Judicial Branch's General Fund operating budget.

If a local government agency does not currently provide paid time off for their employee, SF 138 would have an increased expense to the local government employer; however, that cost cannot be determined.

Source

Judicial Branch

/s/ Holly M. Lyons

February 19, 2007

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.
